

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

FILED

JUN 27 2007

UNITED STATES OF AMERICA,
Plaintiff,

U.S. DISTRICT COURT
CLARKSBURG, WV 26301

v.

Criminal No. 2:01CR20-2

DONALD D. HANLIN,
Defendant.

ORDER/OPINION

On the 25th day of June 2007, came the defendant, Donald D. Hanlin, in person and by his counsel, L. Richard Walker, and also came the United States by its Assistant United States Attorney, David E. Godwin, pursuant to a Petition for Warrant or Summons for Offender Under Supervision filed in this case on June 1, 2007, alleging:

- 1) Violation of Standard Condition No. 2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each months.
- 2) Violation of Standard Condition No. 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 3) Violation of Standard Condition No. 1: The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 4) Violation of Standard Condition No. 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
- 5) Violation of Special Condition 1: The defendant shall submit to one drug test within 15 days after release from imprisonment and 2 tests per month thereafter as directed by the probation

officer.

Prior to the taking of evidence, Defendant waived the preliminary hearing in writing, conceding probable cause existed to forward this revocation matter to Chief United States District Judge Irene M. Keeley for hearing and disposition.

The Court then explained the charges contained in the Petitions and the effect of the proposed waiver to Defendant and inquired of him as to the voluntariness of his decision to waive the preliminary hearing. From the colloquy between the Court and the defendant, the Court concludes Defendant's decision to waive the preliminary hearing was knowingly and voluntarily made.

Upon consideration of all which, the Court finds there is probable cause to believe that the defendant violated conditions of his supervised release as alleged in the Petition for Warrant or Summons for Offender Under Supervision filed June 1, 2007.

It is therefore **ORDERED** that the defendant be bound over for a full hearing before the Honorable Irene M. Keeley, Chief United States District Judge for the Northern District of West Virginia on the violations alleged in the Petition for Warrant or Summons for Offender Under Supervision filed June 1, 2007.

It is further **ORDERED** that Defendant be remanded to the custody of the United States Marshal pending further proceedings in this matter.

The Clerk of the Court is directed to send a copy of this order to counsel of record.

DATED: June **27**, 2007



JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE